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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket : VIT 0012 PA
Examiner : Sow Fun Hon
Art Unit : 1772
Conf. No. : 4083

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 19, 2006.
Patricia L. Prior
Attorney - Patricia L. Prior
Reg. No. 33,758

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 CFR 1.183 TO WAIVE THE REQUIREMENTS
OF 37 CFR 1.324(b)(1) FOR CONSENT TO ADD JOINT INVENTORS
BY OTHER THAN ALL THE INVENTORS**

Applicants Burrows, Mast, Martin, Graff, and Gross, hereby petition the Commissioner to accept the filing of the Consent of Currently Named Inventors to Add Named Inventors signed by them adding joint inventors Charles C. Bonham, Wendy D. Bennett, and Michael G. Hall.

A Petition For Filing By Other Than All The Inventors Under 37 CFR § 1.47(a) was filed in this application. The Petition was treated as a petition under 37 CFR 1.183 to waive the provisions of 37 CFR § 1.67(a)(1) for a supplemental declaration signed by less than all the inventors, and was granted. A copy of the Petition is attached as Exhibit A, and a copy of the Decision is attached as Exhibit B.

A Declaration of Patricia L. Prior providing proof of the pertinent facts concerning the joint inventor who cannot be found to sign the Declaration and Consent to Add Joint Inventors is attached as Exhibit C.

Patent No. - 6,866,901 B2
Docket No. VIT 0012 PA

This petition is accompanied by a check in the amount of \$400 for the fee as set forth in
37 CFR 1.17(f).

Respectfully submitted,
DINSMORE & SHOHL LLP

By Patricia L. Prior
Patricia L. Prior
Registration No. 33,758

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405
PLP/vlh
Encls.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
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Patricia L. Prior

Reg. No. 33,758

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST UNDER 37 CFR 1.324 TO ADD JOINT INVENTORS

It is respectfully requested that the above-identified patent be amended to add Charles C. Bonham, Wendy D. Bennett, and Michael G. Hall as joint inventors. The application for patent was made through error and without any deceptive intention in the names of joint inventors Paul Burrows, J. Chris Pagano, Eric S. Mast, Peter M. Martin, Gordon L. Graff, and Mark E. Gross.

In support of this petition, applicants submit the following:

1. Statements from the persons being added that the inventorship error occurred without deceptive intent on his/her part.
2. Statements from the current named inventors agreeing to the change in inventorship.
3. Petition Under 37 CFR 1.183 to Waive the Requirements of 37 CFR 1.324(b)(2) for Consent to Add Joint Inventors

4. Declaration signed by the inventors who can be found.
5. Statement from the assignee agreeing to the change in inventorship.
6. The check in the amount of \$130 for the fee set forth in 37 CFR 1.20(b).

Respectfully submitted,
DINSMORE & SHOHL LLP

By Patricia L. Prior
Patricia L. Prior
Registration No. 33,758

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405

PLP/vlh
Encls.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket : VIT 0012 PA
Examiner : Sow Fun Hon
Art Unit : 1772
Conf. No. : 4083

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF CHARLES C. BONHAM

Charles C. Bonham declares that:

1. The inventions described in the above-identified patent were developed in part by me, and in part by joint inventors Paul Burrows, J. Chris Pagano, Eric S. Mast, Peter M. Martin, Gordon L. Graff, Mark E. Gross, Wendy D. Bennett, and Michael G. Hall.
2. The error in naming the joint inventors occurred without any deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Date 12-8-05

By


Charles C. Bonham
Charles C. Bonham



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket : VIT 0012 PA
Examiner : Sow Fun Hon
Art Unit : 1772
Conf. No. : 4083

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF MICHAEL G. HALL

Michael G. Hall declares that:

1. The inventions described in the above-identified patent were developed in part by me, and in part by joint inventors Paul Burrows, J. Chris Pagano, Eric S. Mast, Peter M. Martin, Gordon L. Graff, Mark E. Gross, Wendy D. Bennett, and Charles C. Bonham
2. The error in naming the joint inventors occurred without any deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Date 11-30-05

By

Michael G. Hall
Michael G. Hall



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
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Title : METHOD FOR EDGE SEALING BARRIER FILMS
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Examiner : Sow Fun Hon
Art Unit : 1772
Conf. No. : 4083

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF WENDY D. BENNETT

Wendy D. Bennett declares that:

1. The inventions described in the above-identified patent were developed in part by me, and in part by joint inventors Paul Burrows, J. Chris Pagano, Eric S. Mast, Peter M. Martin, Gordon L. Graff, Mark E. Gross, Charles C. Bonham, and Michael G. Hall.
2. The error in naming the joint inventors occurred without any deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Date 11-30-05

By

Wendy D. Bennett
Wendy D. Bennett



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	09/966,163
Filing Date	September 28, 2001
First Named Inventor	Paul Burrows et al.
Examiner Name	Sun Fun Hon
Art Unit	1772
Attorney Docket No.	VIT 0012 PA/40926.13

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity
Fee (\$) Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
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- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Fee to Add Joint Inventors **Fees Paid (\$)** 130.00

SUBMITTED BY

Signature	Patricia L. Prior	Registration No. 33,758 (Attorney/Agent)	Telephone (937) 449-6400
Name (Print/Type)	Patricia L. Prior		Date January 19, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



In re:

U.S. Patent No. : 6,866,901 B2

Issued : March 15, 2005

Applicants : Burrows et al.

Serial No. : 09/966,163

Filed : September 28, 2001

Title : METHOD FOR EDGE SEALING BARRIER FILMS

Docket : VIT 0012 PA

Examiner : Sow Fun Hon

Art Unit : 1772

Conf. No. : 4083

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

CONSENT OF CURRENTLY NAMED INVENTORS

TO ADD NAMED INVENTORS

Joint inventors Paul Burrows, J. Chris Pagano, Eric S. Mast, Peter M. Martin, Gordon L. Graff, and Mark E. Gross, the currently named inventors of U.S. Patent No. 6,866,901 B2, issued March 15, 2005, hereby consent to the addition of Charles C. Bonham, Wendy D. Bennett, and Michael G. Hall as named co-inventors in said patent.

Date 12/9/05

By



Paul Burrows

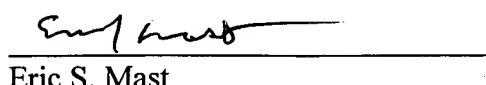
Date _____

By

J. Chris Pagano

Date Nov 30/2005

By



Eric S. Mast

Patent No. - 6,866,901 B2
Docket No. VIT 0012 PA

Date Nov 30, 2005

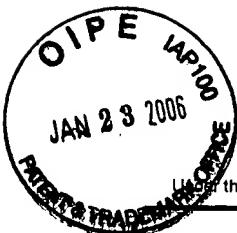
By Peter M. Martin
Peter M. Martin

Date 11/30/05

By Gordon L. Graff
Gordon L. Graff

Date 11-30-2005

By Mark E. Gross
Mark E. Gross



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL**
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/966,163
Filing Date	September 28, 2001
First Named Inventor	Paul Burrows et al.
Art Unit	1772
Examiner Name	Sow Fun Hon
Attorney Docket Number	VIT 0012 PA/40926.13

Enclosed is a petition filed under 37 CFR 1.183 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:
 petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ 400.00 is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.53(e) - to accord a filing date.
§ 1.57(a) - to accord a filing date.
§ 1.182 - for decision on a question not specifically provided for.
§ 1.183 - to suspend the rules.
§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

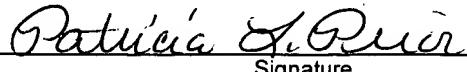
For petitions filed under:

§ 1.12 - for access to an assignment record.
§ 1.14 - for access to an application.
§ 1.47 - for filing by other than all the inventors or a person not the inventor.
§ 1.59 - for expungement of information.
§ 1.103(a) - to suspend action in an application.
§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
§ 1.295 - for review of refusal to publish a statutory invention registration.
§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
§ 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
§ 5.12 - for expedited handling of a foreign filing license.
§ 5.15 - for changing the scope of a license.
§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.
§ 1.84 - for accepting color drawings or photographs.
§ 1.91 - for entry of a model or exhibit.
§ 1.102(d) - to make an application special.
§ 1.138(c) - to expressly abandon an application to avoid publication.
§ 1.313 - to withdraw an application from issue.
§ 1.314 - to defer issuance of a patent.


Signature

Patricia L. Prior

Typed or printed name

January 19, 2006

Date

33,758

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket: : VIT 0012 PA/40926.13
Art Unit : 1772
Examiner : S.F. Hon

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being
facsimile transmitted to the Patent and Trademark
Office ((703) 872-9306) on June 10, 2004.

Patricia L. Prior

Attorney - Patricia L. Prior

Reg. No. 33,758

Sir:

PETITION FOR FILING BY OTHER THAN ALL THE INVENTORS
UNDER 37 C.F.R. § 1.47(a)

Applicants Burrows, Mast, Martin, Graff, and Gross hereby petition the Commissioner to accept the filing of the Declaration signed by them claiming priority to U.S. Patent Application Serial No. 09/427, 138, filed October 25, 1999, entitled "Environmental Barrier Material For Organic Light Emitting Device and Method Of Making" in the above-identified application.

A declaration is attached hereto providing proof of the pertinent facts concerning the joint inventor who cannot be found to sign the Declaration.

The name and address of the joint inventor who cannot be found is as follows:

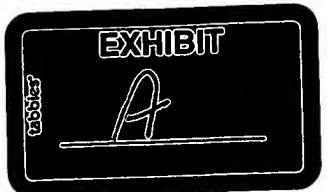
J. Chris Pagano

P.O. Box 6081

Santa Clara, CA 95056.

J. Chris Pagano was employed by Vitex Systems Inc. when the invention was developed. He signed the original Declaration filed in the above-identified application and assigned his rights to Vitex Systems, Inc. Pagano has left the employ of Vitex Systems Inc. and cannot be located to sign the Declaration claiming priority.

01/24/2006 8FELEK1 00000033 6866901
01 FC:1462 400.00-0P



Applicants Burrows, Mast, Martin, Graff, and Gross assigned their rights to Battelle Memorial Institute, which assigned its rights to Vitex Systems Inc. As a result, Vitex Systems, Inc. is entitled to clear title to the invention and to the above-identified patent application and any patent which issues thereon.

In view of the fact that joint inventor J. Chris Pagano cannot be found after diligent effort, the remaining applicants are believed to be entitled to file such a Declaration on behalf of and as agent for their joint inventor (Pagano).

This petition is accompanied by the fee as set forth in 37 CFR 1.17(h).

Respectfully submitted,
DINSMORE & SHOHL LLP

By Patricia L. Prior
Patricia L. Prior
Registration No. 33,758

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405

PLP/kec
Encls.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

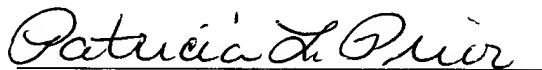
Application of

Applicant : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket: : VIT 0012 PA/40926.13
Art Unit : 1772
Examiner : S.F. Hon

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being
facsimile transmitted to the Patent and Trademark
Office ((703) 872-9306) on June 10, 2004.



Attorney - Patricia L. Prior Reg. No. 33,758

Sir:

DECLARATION OF PATRICIA L. PRIOR

Patricia L. Prior, being duly sworn, and having personal knowledge of the facts herein,
hereby states:

1. I am Of Counsel for Dinsmore & Shohl, attorneys of record for Applicants.
2. The above-identified application was filed September 28, 2001 without claiming
priority to U.S. Patent Application Serial No. 09/427, 138, filed October 25, 1999, entitled
"Environmental Barrier Material For Organic Light Emitting Device and Method Of Making,"
now U.S. Patent No. 6,522,067, issued February 18, 2003.
3. A Declaration and Power of Attorney signed by all of the inventors was mailed to the
U.S. Patent and Trademark Office on January 31, 2002 (copy attached as Exhibit A).
4. An assignment transferring the rights of John C. Pagano to Vitex Systems Inc.
(hereafter Vitex) was recorded March 25, 2002 (copy attached as Exhibit B).
5. An assignment transferring the rights of Paul E. Burrows, Eric S. Mast, Peter M.
Martin, Gordon L. Graff, and Mark E. Gross to Battelle Memorial Institute (hereafter Battelle)
was recorded March 25, 2002 (copy attached as Exhibit C).

6. An assignment transferring the rights of Battelle to Vitex was recorded March 25, 2002 (copy attached as Exhibit D).

7. I prepared a new Declaration and Power of Attorney in order to claim priority to U.S. Patent No. 6,522,067.

8. I sent the Declaration and Power of Attorney to Battelle to obtain to the signatures of the Battelle inventors (copy attached as Exhibit E).

9. My assistant, Evelyn Smart, contacted Tom Pinnella of Vitex to obtain the signature of Mr. Pagano on the Declaration and Power of Attorney. Mr. Pinnella stated that Mr. Pagano had left Vitex in September 2003. Mr. Robert Visser of Vitex stated that they had attempted to contact Mr. Pagano several times; but had not been successful. Ms. Smart obtained Mr. Pagano's last known address from Vitex.

10. On February 9, 2004, I sent a letter by certified mail to Mr. Pagano enclosing the Declaration and Power of Attorney for his signature at the address I obtained from Vitex. This letter was returned by the U.S. Post Office on February 20, 2004, with the notification "BOX CLOSED – NO ORDER" (copy enclosed as Exhibit F).

11. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any U.S. Patent to issue from the above-noted application.

Patricia L. Prior
Patricia L. Prior
Reg. No. 33,758

June 10, 2004
Date

DECLARATION AND POWER OF ATTORNEY

As a below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names; that

We verily believe we are the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: METHOD FOR EDGE SEALING BARRIER FILMS (Docket No. VIT 0012 PA), described and claimed

 X in the attached specification;
in the specification filed September 28, 2001, as U.S. Application Serial No. 09/966,163.

We hereby authorize the attorney(s) and/or agent(s) appointed herein to indicate above whether the invention is described and claimed in an attached specification and to provide the Filing Date and Serial No. of the corresponding U.S. Application, if previously filed.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a).

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard A. Killworth	Reg. No. 26,397
James F. Gottman	Reg. No. 27,262
Timothy W. Hagan	Reg. No. 29,001
James E. Beyer	Reg. No. 39,564
Susan M. Luna	Reg. No. 38,769
Patricia L. Prior	Reg. No. 33,758
William A. Jividien	Reg. No. 42,695
Thomas E. Lees	Reg. No. 46,867
John D. Reed	Reg. No. 46,506
Brian L. Smiler	Reg. No. 46,458
Julie G. Cope	Reg. No. 48,624
Robert L. Zieg	Reg. No. 20,500
Stephen R. May	Reg. No. 29,255
Todd J. Harrington	Reg. No. P-50,137

Address all telephone calls to (937) 223-2050. Address all correspondence to: KILLWORTH, GOTTMAN, HAGAN & SCHAEFF, L.L.P., One Dayton Centre, One South Main Street, Suite 500, Dayton, Ohio 45402-2023.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first Inventor: **PAUL BURROWS**

Inventor's signature

Date: 12/3/01

Residence: 101105 Vaca Road
Kennewick, WA 99337

Citizenship: U.K.

Post Office Address: same as above

Full name of second Inventor: **J. CHRIS PAGANO**

Inventor's signature

Date:

Residence: P.O. Box 6081
Santa Clara, CA 95056

Citizenship: U.S.A

Post Office Address: same as above

Address all telephone calls to (937) 223-2050. Address all correspondence to: KILLWORTH, GOTTMAN, HAGAN & SCHAEFF, L.L.P., One Dayton Centre, One South Main Street, Suite 500, Dayton, Ohio 45402-2023.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under '1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first Inventor: **PAUL E. BURROWS**

Inventor's signature _____

Date: _____

Residence: 101105 Vaca Road
Kennewick, WA 99337

Citizenship: U.K.

Post Office Address: same as above

Full name of second Inventor: **J. CHRIS PAGANO**

Inventor's signature 

Date: 1-31-02

Residence: P.O. Box 6081
Santa Clara, CA 95056

Citizenship: U.S.A.

Post Office Address: same as above

Full name of third Inventor: **ERIC S. MAST**

Inventor's signature Eric Mast

Date: November 13/2001

Residence: 634 Chestnut Avenue
Richland, WA 99352

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fourth Inventor: **PETER M. MARTIN**

Inventor's signature Peter M. Martin

Date: November 13, 2001

Residence: 7703 W. 13th Avenue
Kennewick, WA 99338

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fifth Inventor: **GORDON L. GRAFF**

Inventor's signature Gordon L. Graff

Date: 11/13/01

Residence: 3750 Westlake Drive
West Richland, WA 99353

Citizenship: U.S.A.

Post Office Address: same as above

Full name of sixth Inventor: **MARK E. GROSS**

Inventor's signature Mark E. Gross

Date: December 3, 2004

Residence: 50 Deseret Drive
Pasco, WA 99301

Citizenship: U.S.A.

Post Office Address: same as above



JUNE 05, 2002

PTAS

KILLWORTH, GOTTMAN, HAGAN, ET AL
PATRICIA L. PRIOR
ONE DAYTON CENTRE
ONE SOUTH MAIN STREET, SUITE 500
DAYTON, OHIO 45402

PLW
JUL 11 2002
VIT 6012 PA
Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov



102047514A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/25/2002

REEL/FRAME: 012750/0898
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

PAGANO, JOHN C.

DOC DATE: 11/26/2001

ASSIGNEE:

VITEX SYSTEMS, INC.
3047 ORCHARD PARKWAY
SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 09966163
PATENT NUMBER:

FILING DATE: 09/28/2001
ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



04-08-2002

Form PTO-1595
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

R:

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Tab settings

102047514

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

John C. Pagano

3/25/02

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: November 26, 2001

2. Name and address of receiving party(ies):

Name: Vitex Systems, Inc.

Internal Address: _____

Street Address: 3047 Orchard Parkway

City: San Jose State: CA Zip: 95134

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)
09/966,163

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Killworth, Gottman, Hagan & Schaeff, LLP

Internal Address: _____

Street Address: One Dayton Centre

One South Main Street, Suite 500

City: Dayton State: OH Zip: 45402

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Patricia L. Prior

Name of Person Signing

Signature

03/14/2002

Date

Total number of pages including cover sheet, attachments, and documents:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT

WHEREAS, I **John C. Pagano**, of Santa Clara, California, invented certain new and useful **METHOD FOR EDGE SEALING BARRIER FILMS** for which I executed an application for a United States Patent and for which said application for United States Patent was filed on September 28, 2001, under

Patent Application Serial No. 09/966,163

Attorney Docket No. VIT 0012 PA;

WHEREAS, I hereby authorize and request the attorney(s) and/or agent(s) empowered to act on our behalf in the aforementioned application, to insert above the filing date and application number of said application, when known;

AND WHEREAS, Vitex Systems, Inc., a corporation of the State of Ohio, with a place of business at 3047 Orchard Parkway, San Jose, California 95134, hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said application and the inventions therein disclosed and any letters patent that may issue thereon;

NOW, THEREFORE, for good and valuable consideration, receipt whereof is hereby acknowledged, I hereby sell, assign and transfer unto said Assignee, its successors and assigns, the entire right, title and interest in and to said application and any divisions or continuations thereof, and the inventions therein disclosed, and any improvements thereon, and any patent or patents that may be issued or reissued thereon, and I hereby authorize and request the Commissioner of Patents and Trademarks to issue any letters patent thereon, and reissues thereof, to said Assignee, its successors and assigns; and I hereby authorize said Assignee, its successors and assigns, to file in its own name applications for patent in foreign countries in connection with the inventions hereby transferred, under the International Convention claiming the priority of said United States application or otherwise, and to secure in its own name the patent or patents issued thereon; and I hereby agree that, upon request, I will sign all papers, and make all rightful oaths, and do all acts which said Assignee, its successors or assigns, may consider necessary in connection with said United States application, and in connection with any other United States or foreign applications that may be filed in connection with said inventions, and with any improvements thereon, and in connection with any patents issued or reissued thereon.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of
November, 2001.

By J.C. Pagano
John C. Pagano

State of California

County of Santa Clara

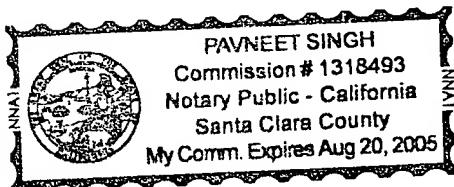
On 11/26/01 before me, PAVNEET SINGH (Notary Public)
personally appeared **John C. Pagano**

 personally known to me

-OR-

X

proved to me on the basis of
satisfactory evidence to be
the person(s) whose name(s)
is subscribed to the with-
in instrument and acknowledged
to me that he executed
the same in his authorized capacity(ies),
and that by his signature(s), on the
instrument the person(s), or the entity
upon behalf of which
the person(s) acted, executed the
instrument.



WITNESS my hand and official seal.

Pavneet Singh
Signature of Notary

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 40.00)

Complete if Known

Application Number	09/966,163
Filing Date	September 28, 2001
First Named Inventor	Paul E. Burrows
Examiner Name	
Group Art Unit	1772
Attorney Docket No.	VIT 0012 PA

TOTAL AMOUNT OF PAYMENT

(\$ 40.00)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$ Fee Code (\$

101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$ 0-

2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid

Total Claims	-20** =	<input type="text"/>	<input type="text"/>	<input type="text"/>
Independent Claims	- 3** =	<input type="text"/>	<input type="text"/>	<input type="text"/>
Multiple Dependent		<input type="text"/>	<input type="text"/>	<input type="text"/>

Large Entity Small Entity

Fee Code (\$ Fee Code (\$

103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0-

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$	Small Entity Fee Code (\$	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	40
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

**or number previously paid, if greater; For Reissues, see above

Complete (if applicable)

Name (Print/Type)	Patricia L. Prior	Registration No. (Attorney/Agent)	33,758	Telephone	(937) 223-2050
Signature	<i>Patricia L. Prior</i>			Date	03/14/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 40.00

Complete if Known

Application Number	09/966,163
Filing Date	September 28, 2001
First Named Inventor	Paul E. Burrows
Examiner Name	
Group Art Unit	1772
Attorney Docket No.	VIT 0012 PA

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	<input type="text"/>
106	330	206	165	Design filing fee	<input type="text"/>
107	510	207	255	Plant filing fee	<input type="text"/>
108	740	208	370	Reissue filing fee	<input type="text"/>
114	160	214	80	Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$ -0-

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** = <input type="text"/>	X <input type="text"/>	= <input type="text"/>
Claims	- 3** = <input type="text"/>	X <input type="text"/>	= <input type="text"/>
Multiple Dependent			= <input type="text"/>

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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104	280	204	140	Multiple dependent claim, if not paid
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SUBTOTAL (2) (\$ -0-

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	<input type="text"/>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139	130	Non-English specification	<input type="text"/>
147	2,520	147	2,520	For filing a request for ex parte reexamination	<input type="text"/>
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215	55	Extension for reply within first month	<input type="text"/>
116	400	216	200	Extension for reply within second month	<input type="text"/>
117	920	217	460	Extension for reply within third month	<input type="text"/>
118	1,440	218	720	Extension for reply within fourth month	<input type="text"/>
128	1,960	228	980	Extension for reply within fifth month	<input type="text"/>
119	320	219	160	Notice of Appeal	<input type="text"/>
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121	280	221	140	Request for oral hearing	<input type="text"/>
138	1,510	138	1,510	Petition to institute a public use proceeding	<input type="text"/>
140	110	240	55	Petition to revive - unavoidable	<input type="text"/>
141	1,280	241	640	Petition to revive - unintentional	<input type="text"/>
142	1,280	242	640	Utility issue fee (or reissue)	<input type="text"/>
143	460	243	230	Design issue fee	<input type="text"/>
144	620	244	310	Plant issue fee	<input type="text"/>
122	130	122	130	Petitions to the Commissioner	<input type="text"/>
123	50	123	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126	180	126	180	Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179	740	279	370	Request for Continued Examination (RCE)	<input type="text"/>
169	900	169	900	Request for expedited examination of a design application	<input type="text"/>
Other fee (specify)					<input type="text"/>

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Patricia L. Prior	Registration No. (Attorney/Agent)	33,758	Telephone	(937) 223-2050
Signature	<i>Patricia L. Prior</i>			Date	03/14/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

012750/0741 PAGE 2

SERIAL NUMBER: 09966163
PATENT NUMBER:

FILING DATE: 09/28/2001
ISSUE DATE:

JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

04-08-2002

Form PTO-1595
(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

102047530

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Paul E. Burrows, Eric S. Mast, Peter M. Martin, Gordon L. Graff and Mark E. Gross

3:25:02

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: November 8, 2001

2. Name and address of receiving party(ies)

Name: Battelle Memorial Institute

Internal Address: _____

Street Address: 902 Battelle Boulevard

City: Richland State: WA Zip: 99352

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)
09/966,163

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Killworth, Gottman, Hagan & Schaeff, LLP

Internal Address: _____

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Patricia L. Prior

Name of Person Signing

Signature

03/14/2002

Date

11

Total number of pages including cover sheet, attachments, and documents:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

04/08/2002 TDI421 00000047 09966163

01 FC:581

40.00 0P

ASSIGNMENT

WHEREAS, we, **PAUL E. BURROWS** of Kennewick, WA, **ERIC S. MAST** of Richland, WA, **PETER M. MARTIN** of Kennewick, WA, **GORDON L. GRAFF** of West Richland, WA and **MARK E. GROSS** of Pasco, WA, invented certain new and useful METHOD FOR EDGE SEALING BARRIER FILMS for which we executed an application for a United States Patent and for which said application for United States Patent was filed on September 28, 2001, under

- Patent Application Serial No. 09/966,163
- Attorney Docket No. VIT 0012 PA;

WHEREAS, we hereby authorize and request the attorney(s) and/or agent(s) empowered to act on our behalf in the aforementioned application, to insert above the filing date and application number of said application, when known;

AND WHEREAS, Battelle Memorial Institute, a corporation of the State of Ohio, with a place of business at 902 Battelle Boulevard, Richland, Washington 99352, hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said application and the inventions therein disclosed and any letters patent that may issue thereon;

NOW, THEREFORE, for good and valuable consideration, receipt whereof is hereby acknowledged, we hereby sell, assign and transfer unto said Assignee, its successors and assigns, the entire right, title and interest in and to said application and any divisions or continuations thereof, and the inventions therein disclosed, and any improvements thereon, and any patent or patents that may be issued or reissued thereon, and we hereby authorize and request the Commissioner of Patents and Trademarks to issue any letters patent thereon, and reissues thereof, to said Assignee, its successors and assigns; and we hereby authorize said Assignee, its successors and assigns, to file in its own name applications for patent in foreign countries in connection with the inventions hereby transferred, under the International Convention claiming the priority of said United States application or otherwise, and to secure in its own name the patent or patents issued thereon; and we hereby agree that, upon request, we will sign all papers, and make all rightful oaths, and do all acts which said Assignee, its successors or assigns, may consider necessary in connection with said United States application, and in connection with any other United States or foreign applications that may be filed in connection with said inventions, and with any improvements thereon, and in connection with any patents issued or reissued thereon.

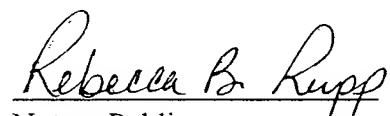
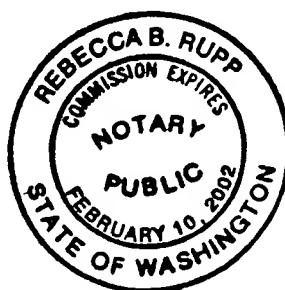
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of
November, 2001.



PAUL E. BURROWS

State of Washington)
County of Benton) ss

On this 8 day of November, 2001 before me a Notary Public in and for
the above County and State, personally appeared the above named **PAUL E. BURROWS**
personally known to me, and acknowledged the execution of the foregoing assignment as a free
act and deed for the purpose herein set forth.



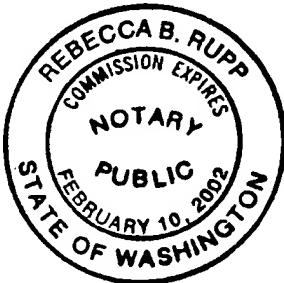
Rebecca B. Rupp
Notary Public

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8th day of
November, 2001.

Eric Mast
ERIC S. MAST

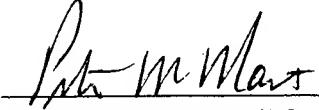
State of Washington)
) ss
County of Benton)

On this 8 day of November, 2001 before me a Notary Public in
and for the above County and State, personally appeared the above named **ERIC S. MAST**
personally known to me, and acknowledged the execution of the foregoing assignment as a free
act and deed for the purpose herein set forth.



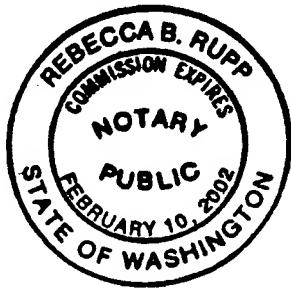
Rebecca B. Rupp
Notary Public

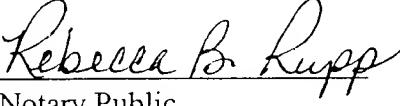
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8th day of
November, 2001.


PETER M. MARTIN

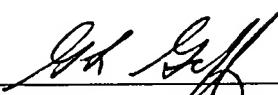
State of Washington)
County of Benton) ss

On this 8 day of November, 2001 before me a Notary Public in
and for the above County and State, personally appeared the above named **PETER M. MARTIN**
personally known to me, and acknowledged the execution of the foregoing assignment as a free
act and deed for the purpose herein set forth.




Rebecca B. Rupp
Notary Public

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of
November, 2001.

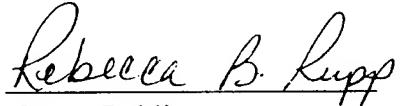


GORDON L. GRAFF

State of Washington)
) ss
County of Benton)

On this 8 day of November, 2001 before me a Notary Public in
and for the above County and State, personally appeared the above named **GORDON L.**
GRAFF personally known to me, and acknowledged the execution of the foregoing assignment
as a free act and deed for the purpose herein set forth.





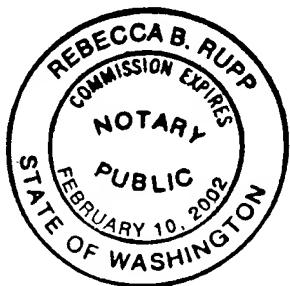
Notary Public

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of
November, 2001.

Mark E. Gross
MARK E. GROSS

State of Washington)
) ss
County of Benton)

On this 8 day of November, 2001 before me a Notary Public in
and for the above County and State, personally appeared the above named **MARK E. GROSS**
personally known to me, and acknowledged the execution of the foregoing assignment as a free
act and deed for the purpose herein set forth.



Rebecca B. Rupp
Notary Public

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 40.00)

Complete if Known

Application Number	09/966,163
Filing Date	September 28, 2001
First Named Inventor	Paul E. Burrows
Examiner Name	
Group Art Unit	1772
Attorney Docket No.	VIT 0012 PA

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
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SUBTOTAL (1) (\$ 0-

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
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Multiple Dependent	- 3** =	X	=

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SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Patricia L. Prior	Registration No. (Attorney/Agent)	33,758	Telephone	(937) 223-2050
Signature	<i>Patricia L. Prior</i>			Date	03/14/2002

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COPY

PTO/SB/17 (10-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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MAY 31, 2002

PTAS

KILLWORTH, GOTTMAN, HAGAN & SCHAEFF, LLP
PATRICIA L. PRIOR
ONE DAYTON CENTRE
ONE SOUTH MAIN STREET, SUITE 500
DAYTON, OHIO 45402

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov



102046382A

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NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/25/2002

REEL/FRAME: 012747/0346

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BATTELLE MEMORIAL INSTITUTE

DOC DATE: 11/12/2001

ASSIGNEE:
VITEX SYSTEMS, INC.
3047 ORCHARD PARKWAY
SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 09966163
PATENT NUMBER:

FILING DATE: 09/28/2001
ISSUE DATE:

SHAREILL COLES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



04-08-2002

Form PTO-1595

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

102046382

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Battelle Memorial Institute

3-25-02

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: 11/12/2001; 01/09/2002

2. Name and address of receiving party(ies):

Name: Vitex Systems, Inc.

Internal Address: _____

OFFICE OF PUBLIC RECORDS

2002 MAR 25

AM 11:41

Street Address: 3047 Orchard Parkway

City: San Jose State: CA Zip: 95134

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)
09/966,163

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Killworth, Gottman, Hagan & Schaeff, LLP

Internal Address: _____

Street Address: One Dayton Centre

One South Main Street, Suite 500

City: Dayton State: OH Zip: 45402

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Patricia L. Prior

Name of Person Signing

Signature

03/14/2002

Date

7

Total number of pages including cover sheet, attachments, and documents:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

04/08/2002 TDI4Z1 0000048 09966163

01 FC:581

40.00 OP

ASSIGNMENT AGREEMENT

This Agreement, by and between Battelle Memorial Institute, a non-profit corporation with a place of business at 902 Battelle Boulevard, Richland, Washington 99352 (hereinafter referred to as "Battelle"), and Vitex Systems, Inc. a corporation of the State of Ohio, with a place of business at 3047 Orchard Parkway, San Jose, California 95134 (hereinafter referred to as "Vitex").

WITNESSETH THAT:

WHEREAS, Battelle inventors, Paul E. Burrows, Eric S. Mast, Peter M. Martin, Gordon L. Graff and Mark E. Gross while employed by Battelle and John Chris Pagano while employed by Vitex, jointly made an invention relating to method for edge sealing barrier films;

WHEREAS, the undivided right, title and interest of Battelle inventors Paul E. Burrows, Eric S. Mast, Peter M. Martin, Gordon L. Graff and Mark E. Gross in and to said invention is assigned to Battelle;

WHEREAS, the undivided right, title and interest of John Chris Pagano in and to said invention is assigned to Vitex;

WHEREAS, Vitex has filed a patent application in the U.S. Patent and Trademark Office on said invention;

WHEREAS, Battelle desires to assign and Vitex desires to acquire the entire right, title and interest of Battelle in and to said invention; and

NOW, THEREFORE, in consideration of the premises, and the agreements, covenants and conditions herein contained, the parties agree as follows:

1. "THE ASSIGNED INVENTION" means the invention described and claimed in U.S. patent application Serial No. 09/966,163 filed September 28, 2001, entitled "Method For Edge Sealing Barrier Films," and any patent or patents issued thereon, including all divisions, continuations, reissues or extensions thereof.

2. Battelle hereby assigns to Vitex its entire right, title and interest in and to THE ASSIGNED INVENTION.

NOW, THEREFORE, in consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, Battelle has sold, assigned and transferred, and by these presents does sell, assign and transfer unto Vitex, its successors and

assigns, the entire right, title and interest in and to the said inventions as described in the aforesaid Letters Patents and pending applications and any divisions or continuations thereof and the inventions therein disclosed and any improvements thereof, and any patent or patents that may be issued or reissued thereon, the same to be held and enjoyed by the said Vitex for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives to the full end of the term for which said Letters Patents have been granted or may be granted, as fully and entirely as the same would have been held and enjoyed by Battelle, if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of said Letters Patents, with the right to sue for, and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns and other legal representatives: Battelle hereby authorizes Vitex, its successors and assigns, to file in its own name applications for patents in foreign countries in connection with the inventions hereby transferred, under the International Convention claiming the priority of said United States applications or otherwise, and to secure in its own name the patent or patents issued thereon; and Battelle hereby agrees that, upon request, it will sign all papers, and make all rightful oaths, and do all acts which said Vitex, its successors or assigns, may consider necessary in connection with said United States applications, and in connection with any other United States or foreign applications that may be filed in connection with said inventions, and with any improvements thereon, and in connection with any patents issued or reissued thereon.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

Battelle Memorial Institute

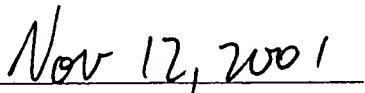
By



Stephen R. May

Title: Contracting Officer

Date:



Vitex Systems, Inc.

By



Title:



Date:



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See 37 CFR 1.27

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116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,280	242	640	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Processing fee under 37 CFR 1.17(q)
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application
Other fee (specify) _____				40

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Patricia L. Prior	Registration No. (Attorney/Agent)	33,758	Telephone	(937) 223-2050
Signature	<i>Patricia L. Prior</i>		Date	03/14/2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DECLARATION AND POWER OF ATTORNEY

As a below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names; that

We verily believe we are the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: METHOD FOR EDGE SEALING BARRIER FILMS (Docket No. VIT 0012 PA), described and claimed

X _____ in the attached specification;
in the specification filed September 28, 2001, as U.S. Application Serial No. 09/966,163.

We hereby authorize the attorney(s) and/or agent(s) appointed herein to indicate above whether the invention is described and claimed in an attached specification and to provide the Filing Date and Serial No. of the corresponding U.S. Application, if previously filed.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim the benefit under 35 USC §119(e) of any United States application(s) listed below:

Serial No.	Filing Date
<u>09/427,138</u>	<u>10/25/99 (now U.S. Patent No. 6,522,067 issued 02/18/03)</u>

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard A. Killworth	Reg. No. 26,397
James F. Gottman	Reg. No. 27,262
Timothy W. Hagan	Reg. No. 29,001
James E. Beyer	Reg. No. 39,564
Susan M. Luna	Reg. No. 38,769
Patricia L. Prior	Reg. No. 33,758
William A. Jividen	Reg. No. 42,695
John D. Reed	Reg. No. 46,506
Brian L. Smiler	Reg. No. 46,458
Kristina E. Swanson	Reg. No. 53,657
Stephen R. May	Reg. No. 29,255
Barry S. Bissell	Reg. No. 27,062
C. Michael Gegenheimer	Reg. No. 33,387

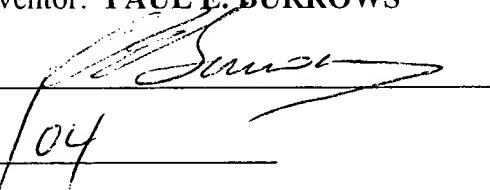
William B. Richards
Klaus H. Wiesmann

Reg. No. 44,301
Reg. No. 30,437

Address all telephone calls to (937) 223-2050. Address all correspondence to: DINSMORE & SHOHL LLP, One Dayton Centre, One South Main Street, Suite 500, Dayton, Ohio 45402-2023.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first Inventor: **PAUL E. BURROWS**

Inventor's signature 

Date: 1/21/04

Residence: 101105 Vaca Road
Kennewick, WA 99337

Citizenship: U.K.

Post Office Address: same as above

Full name of second Inventor: **J. CHRIS PAGANO**

Inventor's signature 

Date: _____

Residence: P.O. Box 6081
Santa Clara, CA 95056

Citizenship: U.S.A.

Post Office Address: same as above

Full name of third Inventor: **ERIC S. MAST**

Inventor's signature Eric Mast

Date: 1/22/04

Residence: 634 Chestnut Avenue
Richland, WA 99352

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fourth Inventor: **PETER M. MARTIN**

Inventor's signature Peter M. Martin

Date: 1/20/04

Residence: 7703 W. 13th Avenue
Kennewick, WA 99338

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fifth Inventor: **GORDON L. GRAFF**

Inventor's signature Gordon L. Graff

Date: 1/27/04

Residence: 3750 Westlake Drive
West Richland, WA 99353

Citizenship: U.S.A.

Post Office Address: same as above

Full name of sixth Inventor: **MARK E. GROSS**

Inventor's signature Mark E Gross

Date: 1/29/09

Residence: 50 Deseret Drive
Pasco, WA 99301

Citizenship: U.S.A.

Post Office Address: same as above

Patricia L. Prior
937-449-6449
patricia.prior@dinslaw.com

February 9, 2004

VIA CERTIFIED MAIL

J. Chris Pagano
P.O. Box 6081
Santa Clara, CA 95056

Re: U.S. Patent Application Serial No. 09/966,163 filed September 28, 2001 entitled
METHOD FOR EDGE SEALING BARRIER FILMS
Our Docket VIT 0012 PA/40926.13 - Your Ref. 12875-B

Dear Chris:

Enclosed please find a Declaration and Power of Attorney form which needs to be signed and dated by you. Please return the signed document to us for filing with the Patent Office.

If you have any questions, please contact us.

Very truly yours,

Patricia

Patricia L. Prior

PLP/ems
Encl.

22286v1

Returned

RECEIVED

FEB 20 2004



BEST AVAILABLE COPY

CERTIFIED MAIL

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Ergonomics

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CLASS

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First Class Mail

DINSMORE & SHOHL LLP
ONE DAYTON CENTER
ONE SOUTH MAIN STREET, SUITE 500
DAYTON, OHIO 45402-2023

TO:
J CHRIS PAGANO
P O BOX 6081
SANTA CLARA CA 95051

A black and white photograph of a person's hand holding a small, rectangular box. The box is closed and has a label on it that reads "BOX CLOSED - NO ORDER". The hand is positioned as if presenting the box.

A hand is shown holding a rectangular box. The box has a label with the text "BOX CLOSED NO ORDER" printed on it. The hand is gripping the top edge of the box. The background is plain white.

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

J CHRIS PAGANO
 P.O BOX 6081
 SANTA CLARA CA 95056

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number
 (Transfer from service label)

7000 0520 0016 4272 6437

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

First Class Mail

First Class Mail

DECLARATION AND POWER OF ATTORNEY

As a below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names; that

We verily believe we are the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: METHOD FOR EDGE SEALING BARRIER FILMS (Docket No. VIT 0012 PA), described and claimed

 X in the attached specification;
in the specification filed September 28, 2001, as U.S. Application Serial No. 09/966,163.

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We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim the benefit under 35 USC §119(e) of any United States application(s) listed below:

Serial No.	Filing Date
<u>09/427,138</u>	<u>10/25/99 (now U.S. Patent No. 6,522,067 issued 02/18/03)</u>

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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James E. Beyer	Reg. No. 39,564
Susan M. Luna	Reg. No. 38,769
Patricia L. Prior	Reg. No. 33,758
William A. Jividien	Reg. No. 42,695
John D. Reed	Reg. No. 46,506
Brian L. Smiler	Reg. No. 46,458
Kristina E. Swanson	Reg. No. 53,657
Stephen R. May	Reg. No. 29,255
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C. Michael Gegenheimer	Reg. No. 33,387
William B. Richards	Reg. No. 44,301
Klaus H. Wiesmann	Reg. No. 30,437

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Full name of first Inventor: **PAUL E. BURROWS**

Inventor's signature _____

Date: _____

Residence: 101105 Vaca Road
Kennewick, WA 99337

Citizenship: U.K.

Post Office Address: same as above

Full name of second Inventor: **J. CHRIS PAGANO**

Inventor's signature _____

**PLEASE SIGN
& DATE**

Date: _____

Residence: P.O. Box 6081
Santa Clara, CA 95056

Citizenship: U.S.A.

Post Office Address: same as above

Full name of third Inventor: **ERIC S. MAST**

Inventor's signature _____

Date: _____

Residence: 634 Chestnut Avenue
Richland, WA 99352

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fourth Inventor: **PETER M. MARTIN**

Inventor's signature _____

Date: _____

Residence: 7703 W. 13th Avenue
Kennewick, WA 99338

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fifth Inventor: **GORDON L. GRAFF**

Inventor's signature _____

Date: _____

Residence: 3750 Westlake Drive
West Richland, WA 99353

Citizenship: U.S.A.

Post Office Address: same as above

Full name of sixth Inventor: **MARK E. GROSS**

Inventor's signature _____

Date: _____

Residence: 50 Deseret Drive
Pasco, WA 99301

Citizenship: U.S.A.

Post Office Address: same as above



UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 24 2004



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KILLWORTH, GOODMAN, HAGAN & SCHAEFF LLP
ONE DAYTON CENTRE, SUITE 500
DAYTON, OH 45402-2023

COPY MAILED

SEP 20 2004

In re Application of : **OFFICE OF PETITIONS**
Paul E. Burrows et al :
Application No. 09/966,163 : DECISION ON PETITION
Filed: September 28, 2001 : UNDER 37 CFR 1.78(a) (3)
Atty Dkt No. VIT 0012 PA/40926.13 :
:

This is a decision on the petition under 37 CFR 1.78(a) (3), filed June 14, 2004, to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of priority to prior-filed nonprovisional Application No. 09/427,138, as set forth in the amendment filed concurrently with the instant petition. This is also a decision on the concurrently filed petition under 37 CFR 1.47(a), which is being treated as a petition under 37 CFR 1.183 seeking waiver of the provisions of 37 CFR 1.67(a) (1), which states that a supplemental oath or declaration must be executed by all the named inventors.

The petition under 37 CFR 1.78(a) (3) is GRANTED.

The petition under 37 CFR 1.183 is GRANTED.

Discussion of Petition under 37 CFR 1.78(a) (3)

A petition for acceptance of a claim for late priority under 37 CFR 1.78(a) (3) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a) (2) (ii). In addition, the petition under 37 CFR 1.78(a) (3) must be accompanied by:

- (1) the reference required by 35 U.S.C. § 120 and 37 CFR 1.78(a) (2) (i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a) (2) (ii) and the date the claim was filed was unintentional. The Commissioner may require additional information

EXHIBIT



where there is a question whether the delay was unintentional.

The instant pending application was filed on September 28, 2001, and was pending at the time of filing of the instant petition. A reference to the above-noted, prior-filed nonprovisional application has been included in an amendment to the first sentence of the specification following the title, as required by 37 CFR 1.78(a)(2)(iii).

The instant nonprovisional application was filed after November 29, 2000, and the claim herein for the benefit of priority to the above-noted, prior-filed nonprovisional application is submitted after expiration of the period specified in 37 CFR 1.78(a)(2)(ii). Also, the reference to the above-noted, prior-filed nonprovisional application was submitted during the pendency of the instant nonprovisional application, for which the claim for benefit of priority is sought. See 35 U.S.C. § 120. Accordingly, having found that the instant petition for acceptance of an unintentionally delayed claim for the benefit of priority under 35 U.S.C. § 120 to the above-noted, prior-filed nonprovisional application satisfies the conditions of 37 CFR 1.78(a)(3), the petition is granted.

The granting of the petition to accept the delayed benefit claim to the above-noted, prior-filed application under 37 CFR 1.78(a)(3) should not be construed as meaning that the instant application is entitled to the benefit of the above-noted, prior-filed application. In order for the instant application to be entitled to the benefit of the above-noted, prior-filed application, all other requirements under 35 U.S.C. § 120 and 37 CFR 1.78(a)(1) and (a)(2) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the above-noted, prior-filed application should not be construed as meaning that applicant is entitled to the claim for benefit of priority to the above-noted, prior-filed application noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the instant application is entitled to the benefit of the earlier filing date.

A corrected Filing Receipt, which includes the priority claim to the above-noted, prior-filed nonprovisional application, accompanies this decision on petition.

Discussion of Petition under 37 CFR 1.183

MPEP § 603, provides that, "[w]hen an inventor who executed the original declaration is refusing or cannot be found to execute a required supplemental declaration, it is possible that the requirement may be suspended or waived in accordance with 37 CFR 1.183." Therefore, the submission of a petition under 37 CFR 1.47(a) is not the appropriate avenue of relief in this instance. Accordingly, the petition has been treated as a petition under 37 CFR 1.183 to waive the provisions of 37 CFR 1.67(a)(1) for a supplemental declaration executed by less than all the named inventors who originally executed a declaration.

Petitioner requests acceptance of the supplemental declaration filed concurrently with the instant petition without the signature of previously signing inventor J. Chris Pagano on the basis that inventor Pagano has left the employ of Vitex Systems, Inc., and cannot be located to execute the supplemental declaration. The petition is accompanied by a "Declaration of Patricia L. Prior" setting forth the efforts made to locate inventor Pagano. In view thereof, petitioner now requests that the supplemental declaration be accepted without the signature of inventor Pagano.

Under the circumstances recounted in the petition, justice would be served by suspending the requirements of 37 CFR 1.67(a)(1). Accordingly, the substitute declaration received June 14, 2004 and executed by the five signing inventors and without the signature of previously signing joint inventor Pagano is accepted as a proper oath under 37 CFR 1.67(a)(1).

Any inquiries concerning this decision may be directed to the undersigned at (703) 305-8680.

This matter is being referred to Technology Center Art Unit 1772, for processing of the RCE and amendment filed August 5, 2004, including consideration by the examiner of applicant's entitlement to claim benefit of priority under 35 U.S.C. § 120 to the above-noted, prior-filed nonprovisional application.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket : VIT 0012 PA/40926.13
Examiner : Sow Fun Hon
Art Unit : 1772
Conf. No. : 4083

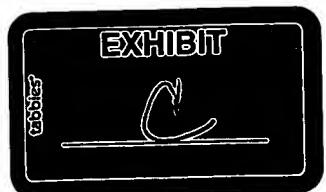
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF PATRICIA L. PRIOR

Patricia L. Prior hereby declares:

1. I am Of Counsel for Dinsmore & Shohl, attorneys of record for Applicants.
2. I contacted Mr. Robert Visser of Vitex Inc. on December 19, 2005 to determine whether Vitex had had any additional contact with Mr. J. Chris Pagano since the Petition For Filing By Other Than All Inventors was filed June 10, 2004. Mr Visser indicated that Mr. Pagano had apparently called Mr. Robert Praino, a former Vitex employee, about three months ago. Mr. Visser indicated that Mr. Pagano told Mr. Praino that he would call back. However, Mr. Pagano did not call Mr. Praino back, nor did he provide a current telephone number or address.



3. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-noted Patent.

Patricia L. Prior
Patricia L. Prior
Reg. No. 33,758

11/19/06
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

U.S. Patent No. : 6,866,901 B2
Issued : March 15, 2005
Applicants : Burrows et al.
Serial No. : 09/966,163
Filed : September 28, 2001
Title : METHOD FOR EDGE SEALING BARRIER FILMS
Docket : VIT 0012 PA
Examiner : Sow Fun Hon
Art Unit : 1772
Conf. No. : 4083

Commissioner for Patents
P.O. Box 1450
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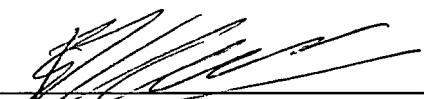
Sir:

CONSENT OF ASSIGNEE TO ADD NAMED INVENTORS

Vitex Systems, Inc. of San Jose, California, the assignee of U.S. Patent No. 6,866,901 B2, issued March 15, 2005 in the names of Paul Burrows, J. Chris Pagano, Eric S. Mast, Peter M. Martin, Gordon L. Graff, and Mark E. Gross, hereby consents to the addition of Charles C. Bonham, Wendy D. Bennett, and Michael G. Hall as named co-inventors in said patent.

Vitex Systems, Inc.

By


Robert J. Klassen, PhD
Date 12/08/05

DECLARATION AND POWER OF ATTORNEY

As a below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names; that

We hereby believe we are the original and first inventors of the invention entitled: **METHOD FOR EDGE SEALING BARRIER FILMS** (Docket No. VIT 0012 PA/40926.13), described and claimed

 X in the attached specification;

in the specification filed September 28, 2001, as U.S. Application Serial No. 09/966,163, now U.S. Patent Application No. 6,866,901 B2, issued March 15, 2005.

We hereby authorize the attorney(s) and/or agent(s) appointed herein to indicate above whether the invention is described and claimed in an attached specification and to provide the Filing Date and Serial No. of the corresponding U.S. Application, if previously filed.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>	<u>Patent No.</u>
09/427,138	October 25, 1999	Issued 2/18/03	6,522,067

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard A. Killworth	Reg. No. 26,397
James F. Gottman	Reg. No. 27,262
Timothy W. Hagan	Reg. No. 29,001
James E. Beyer	Reg. No. 39,564
Susan M. Luna	Reg. No. 38,769
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William A. Jividien	Reg. No. 42,695
John D. Reed	Reg. No. 46,506
Kristina E. Swanson	Reg. No. 53,657
Paul M. Ulrich	Reg. No. 46,404
Matthew A. Molloy	Reg. No. 56,415
Stephen R. May	Reg. No. 29,255
Barry S. Bissell	Reg. No. 27,062
C. Michael Gegenheimer	Reg. No. 33,387

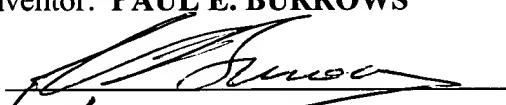
William B. Richards
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Full name of first Inventor: **PAUL E. BURROWS**

Inventor's signature 

Date: 12/9/05

Residence: 101105 Vaca Road
Kennewick, WA 99337

Citizenship: U.K.

Post Office Address: same as above

Full name of second Inventor: **J. CHRIS PAGANO**

Inventor's signature 

Date: _____

Residence: P.O. Box 6081
Santa Clara, CA 95056

Citizenship: U.S.A.

Post Office Address: same as above

Full name of third Inventor: **ERIC S. MAST**

Inventor's signature Eric Mast

Date: Nov 30 2005

Residence: 634 Chestnut Avenue
Richland, WA 99352

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fourth Inventor: **PETER M. MARTIN**

Inventor's signature Peter M. Martin

Date: 11/30/05

Residence: 7703 W. 13th Avenue
Kennewick, WA 99338

Citizenship: U.S.A.

Post Office Address: same as above

Full name of fifth Inventor: **GORDON L. GRAFF**

Inventor's signature Gordon L. Graff

Date: 11/30/05

Residence: 3750 Westlake Drive
West Richland, WA 99353

Citizenship: U.S.A.

Post Office Address: same as above

Full name of sixth Inventor: **MARK E. GROSS**

Inventor's signature Mark E. Gross

Date: 11-30-2005

Residence: 50 Deseret Drive
Pasco, WA 99301

Citizenship: U.S.A.

Post Office Address: same as above

Full name of seventh Inventor: **CHARLES C. BONHAM**

Inventor's signature Charles C. Bonham

Date: 12-8-05

Residence: 1636 Sagewood Street
Richland, WA 99352

Citizenship: U.S.A.

Post Office Address: same as above

Full name of eighth Inventor: **WENDY D. BENNETT**

Inventor's signature Wendy D. Bennett

Date: 11-30-05

Residence: 21706 S. Spruce Street
Kennewick, WA 99337

Citizenship: U.S.A.

Post Office Address: same as above

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